

iam

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. **X-1398 US**First Inventor **Thomas J. Davies, Jr.**Title **NON-VOLATILE PRODUCT TERM (PTERM) CELL**Express Mail Label No. **EV 000334692 US**U.S. PTO
10/37286

121603

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original, and a duplicate for fee processing)2. Specification [Total Pages **24**]

- Descriptive title of the Invention
- Cross References to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequenct listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

3. Drawing(s) (35 USC 113) [Total Sheets **04**]4. Oath or Declaration [Total Pages **01**]

- a. Newly Executed (original or copy)
- b. Copy from a prior application (37 CFR §1.63(d))
(for continuation/divisional with Box 17 completed)
- i. DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

5. Application Data Sheet. See 37 CFR 1.766. CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)7. Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)

- a. Computer Readable Copy (CRC)
- b. Specification Sequence Listing on:
 - i. CD-ROM or CD-R (2 copies); or
 - ii. paper
- c. Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

- 8. Assignment Papers (cover sheet & document(s))
- 9. 37 CFR 3.73(b) Statement
(when there is an assignee) Power of Attorney
- 10. English Translation Document (if applicable)
- 11. Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
- 12. Preliminary Amendment
- 13. Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
- 14. Certified Copy of Priority Document(s)
(if foreign priority is claimed)
- 15. Nonpublication Request under 35 U.S.C 122 (b)(2)(B). Applicant must attach form PTO/SB/35 or its equivalent.
- 16. Other:

17. If a CONTINUATING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: _____

Prior application information: Examiner _____ Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 4b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

18. CORRESPONDENCE ADDRESS

Customer Number or Bar Code Label **24309** Correspondence address below
(Insert Customer No. or Attach bar code label here)

Name	Attn: Justin Liu		
Address			
City	State	Zip Code	
Country	Telephone	408-879-4641	Fax 408-377-6137

Name (Print/Type)	Justin Liu	Registration No. (Attorney/Agent)	51,959
Signature			
	Date	December 16, 2003	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Mail Stop: Patent Application, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 900.00)

Complete if Known

Application Number	Unknown
Filing Date	December 16, 2003
First Named Inventor	Thomas J. Davies, Jr.
Examiner Name	Unknown
Art Unit	Unknown
Attorney Docket No.	X-1398 US

METHOD OF PAYMENT (check all that apply)

1. Deposit Account:Deposit Account Number
24-0040
Deposit Account Name
XILINX, INC.

The Commissioner is authorized to: (check all that apply)

Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity

Fee Code	Fee (\$)	Fee Description	Fee Paid
1001	770	Utility filing fee	\$770
1002	320	Design filing fee	
1003	490	Plant filing fee	
1004	770	Reissue filing fee	
1005	160	Provisional filing fee	

SUBTOTAL (1) (\$ 770.00)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Fee from	Extra Claims below	Fee Paid
Total Claims	25	-20** =	5 X 18 =	\$90
Indep. Claims	3	- 3** =	0 X 18 =	\$0
Multiple Dependent			X 18 =	

Large Entity

Fee Code	Fee (\$)	Fee Description
1202	18	Claims in excess of 20
1201	86	Independent claims in excess of 3
1203	290	Multiple dependent claim, if not paid
1204	86	**Reissue independent claims over original patent
1205	18	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 90.00)

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	Surcharge - late filing fee or oath	
1052	50	Surcharge - late provisional filing fee or cover sheet	
147	2,520	For filing a request for reexamination	
1812	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	Extension for reply within first month	
1252	420	Extension for reply within second month	
1253	950	Extension for reply within third month	
1254	1,480	Extension for reply within fourth month	
1255	2,010	Extension for reply within fifth month	
1401	330	Notice of Appeal	
1402	330	Filing a brief in support of an appeal	
1403	290	Request for oral hearing	
1451	1,510	Petition to institute a public use proceeding	
1452	110	Petition to revive - unavoidable	
1453	1,330	Petition to revive - unintentional	
1501	1,240	Utility issue fee (or reissue)	
1460	130	Petitions to the Commissioner	
1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	Submission of Information Disclosure Stmt	
8021	40	Recording each patent assignment per property (times number of properties)	\$40
1809	770	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	Request for Continued Examination (RCE)	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 40.00)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Justin Liu	Registration No. (Attorney/Agent)	51,959	Telephone	408-879-4641
Signature				Date	12-16-2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization in PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor	Thomas J. Davies, Jr.
	Title	NON-VOLATILE PRODUCT TERM (PTERM) CELL
	Atty Docket Number	X-1398 US

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

December 16, 2003

Date



Signature

Justin Liu

Reg. No. 51,959

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia, 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450.